

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FRED T. McCLAIN,

v.

MICHAEL J. ASTRUE, Commissioner of Social
Security.

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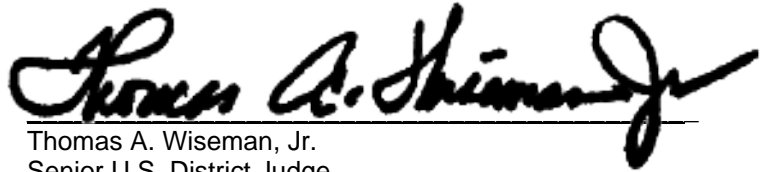
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ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Griffin in which she recommends that the Defendant's Motions to Dismiss, Documents #20 and #23, be granted, and this action be dismissed for the Plaintiff's failure to prosecute this case pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, and for Plaintiff's failure to comply with the orders entered April 2, 2007, June 28, 2007, and July 30, 2007 pursuant to Rules 16(f) and 37(b)(2)(C) of the Federal Rules of Civil Procedure. No objections have been filed.

The Court has read and considered the Report and finds the same to be correct in fact and law. The Report and Recommendation is adopted by this Court. For the reasons set forth in the Report and Recommendation, Defendant's Motions to Dismiss, Documents #20 and #23, are **GRANTED**, and this case is **DISMISSED** for the Plaintiff's failure to prosecute this case and for failure to comply with the orders entered on April 2, 2007, June 28, 2007, and July 3, 2007.

It is so **ORDERED**.

A handwritten signature in black ink, reading "Thomas A. Wiseman, Jr.", written over a horizontal line.

Thomas A. Wiseman, Jr.
Senior U.S. District Judge